

REMARKS

Claims 1-11 are currently pending in the above-identified patent application. Claims 1 and 7 have been amended to include that when specific files are requested, the content thereof is not changed during the transmission process. No new matter has been added by these changes since support therefor may be found on page 6, lines 1-5, on page 7, lines 3-5, and on page 7, lines 25-28, of the subject Specification, as originally filed. The first citation states: "The clearinghouse 110 allows each company to maintain their own separate databases without unnecessary duplication of data in two or more locations. In this manner, the clearinghouse server 110 may be used on a project by project basis. In other embodiments, the clearinghouse server 110 may be used by a company of multiple divisions in remote locations to manage the information transfer between divisions." For such an applications of the present claimed invention, it is required that the clearinghouse server not alter the requested file. In the second citation, it is stated that: "The clearinghouse 110 may send an HTTP request to the server 116. The server 116 may retrieve the requested file from the database 118 and then convert the file into XML or other transmittable format.", while the third citation states: "A 'file' may be a discrete file as it is saved by an operating system, or the 'file' may be a record in a database, an image or portion of an image, a block or portion of a database, or any other computer readable data that could be shared between users." Again, format conversion is required for such sharing of files, as opposed to content modification.

In the subject Office Action, claims 1-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cianfrocca et al. (hereinafter, Cianfrocca; U.S. Patent No. 6,088,796) in view of Ananian et al. (hereinafter, Ananian; U.S. Patent No. 6,922,701 B1), since the Examiner stated that regarding claim 1, Cianfrocca discloses a method of managing data in a plurality of disparate and diverse databases (See, Fig. 1, items 101-110, and Col. 8, lines 50-60 of Ananian.) comprising: providing a first database located in a first location (See, Fig. 1, item 105, Col. 6, lines 11-14, of Cianfrocca.) and further being located behind a first firewall (See, Fig. 1, item 104, Col. 6, lines 13-14, of Cianfrocca.); providing a

second database located in a second location (See, Fig. 1, item 106, Col. 6, lines 14-17, of Cianfrocca.) and further being located behind a second firewall (See, Fig. 1, item 104, lines 14-17, Cianfrocca.); providing a clearinghouse server (See Fig. 1 and 4, item 103, Web Server Running Messenger System, Cols. 6 and 17, lines 17-20 and 1-2, respectively, of Cianfrocca.) located outside of said first firewall and said second firewall (See Fig. 1, item 104, Firewall, Col. 6, lines 19-22, of Cianfrocca.), said clearinghouse server having a clearinghouse database (See, Fig. 4, Col. 17, line 54, Database, of Cianfrocca.); providing a workstation located behind said first firewall (See, Col. 16, lines 24-28, of Cianfrocca.), said workstation having a clearinghouse interface program (See, Col. 16, lines 27-28, clients, Cianfrocca); and establishing communications between said clearinghouse interface program with said clearinghouse server (See, Col. 16, lines 24-26, of Cianfrocca.).

The Examiner continued that Cianfrocca does not explicitly teach indexing CAD data from the databases, transmitting request for a requested file, determining the location of said requested file, sending a request to second database for said file, converting said file to transmittable format, or transmitting said file; however, the Examiner continued that Ananian discloses a method and system for managing CAD files (See, Col. 2, lines 43-47, of Ananian.), including: a clearinghouse database comprising an index to at least a portion of CAD data in first database and at least a portion of CAD data in second database (See, Fig. 1, Cols. 9 and Col. 11, lines 19-23 and 4-8, respectively, of Ananian.); transmitting a request for a requested file from said clearinghouse interface program to said clearinghouse server (See, Col. 13, lines 14-30, of Ananian.); determining that said requested file is located in said second database by using said clearinghouse database (See, Col. 14, lines 2-4, Ananian.); sending a request from said clearinghouse server to said second database for said requested file (See, Col. 14, lines 35-38, Ananian.); converting said requested file to a first transmittable format (See, Cols. 3 and 7, lines 37-39, and 21-27, and 48-53; respectively, of Ananian.); and transmitting said requested file from said second database in said first transmittable format (See, Col. 20, lines 1-6, Ananian.). The Examiner concluded that it would have been obvious to one of ordinary skill in the art at the time the invention was made to add

Ananian's functionality for sending and converting a CAD file to the system and method of Cianfrocca to let users manipulate, modify, and update different CAD format files. Further, the Examiner concluded, one of ordinary skill in the art at the time the invention was made would have been motivated to do so, in order to improve interaction between the client and the professionals throughout the construction process; to ensure consistent and informed client input, cost-effective decisions, while maintaining the client's visionary perspective (See, Col. 2, lines 10-17, of Ananian). In addition, the Examiner continued, the prior art suggests a successful outcome of this combination, such as, significantly reducing the time, complexity and uncertainty involved in the design of a structure (See, Col. 3, lines 43-45, Ananian.), improving interaction between the client and the builder throughout the construction process (See, Col. 3, lines 53-55, of Ananian.), acquiring a fully detailed build specification from a client (See, Col. 3, lines 58-60, of Ananian.), and reducing lengthy communications between the builder and the client, making the builder efficient and bale to focus on the core task; building the house (See, Col. 3, lines 61-64, of Ananian.) (Emphasis added by applicants.).

Applicants respectfully disagree with the Examiner concerning the rejection of claim 1 under 35 U.S.C. 103(a) as being unpatentable over Cianfrocca in view of Ananian, for the reasons to be set forth hereinbelow.

Regarding claim 7, the Examiner asserted that Cianfrocca/Ananian discloses a system for sharing files across disparate databases comprising: a first server located behind a first firewall (See, Fig. 1, item 104, Col. 6, lines 13-14, of Cianfrocca.) and connected to a first database (See, Fig. 1, item 105, and Col. 6, lines 11-14, of Cianfrocca.) that contains a first set of files (See, Col. 9, lines 40-43, of Cianfrocca.); a second server located behind a second firewall (See, Fig. 1, item 104, and Col. 6, lines 14-17, of Cianfrocca.) and connected to a second database (See, Fig. 1, item 106, and Col. 6, lines 14-17, of Cianfrocca.) that contains a second set of files (See, Col. 19, lines 30-33, and application server components, of Cianfrocca.); a clearinghouse server (See, Fig. 1 and 4, item 103, and Web Server Running Messenger System, Cols. 6 and 17, lines 17-20 and 1-2, respectively, of Cianfrocca.) located outside of said first firewall and said second firewall (See, Fig.

1, item 104, and Firewall, Col. 6, lines 19-22, of Cianfrocca.); a clearinghouse database located on said clearinghouse server (See, Fig. 4, Col. 17, line 54, Database, of Cianfrocca.) and having an index to at least a portion of said first set of files in said first database and at least a portion of said second set of files in said second database (See, Fig. 1, Col. 11, lines 4-8, of Ananian.); a workstation located behind said first firewall (See, Col. 16, lines 24-28, of Cianfrocca.) and having a clearinghouse interface program capable of interfacing with said clearinghouse database on said clearinghouse server (See, Col. 16, lines 24-28, messenger system enabled application components are programs that call routines in the User Agent Library, of Cianfrocca.), said clearinghouse interface program further capable of sending a request for a specific file indexed in said clearinghouse database (See, Col. 13, lines 14-26, of Ananian.); said clearinghouse server further receiving said request for said specific file from said workstation (See, Col. 13, lines 29-30, of Ananian), determines that said specific file is located on said second database (See, Col. 14, lines 2-4, of Ananian.), and sends said request for said specific file to said second server (See, Col. 14, lines 35-38, of Ananian.); and said second server further receives said request for said specific file (See, Col. 7, lines 39-41, of Ananian.), locates said specific file in said second database (See, Col. 7, lines 65-67, of Ananian.), converts said specific file into a first transmittable format (See, Col. 8, lines 4-10, of Ananian.), and sends said specific file (See, Col. 20, lines 1-6, of Ananian.).

Applicants respectfully disagree with the Examiner. Applicants respectfully disagree with the Examiner concerning the rejection of claim 7 under 35 U.S.C. 103(a) as being unpatentable over Cianfrocca in view of Ananian, for the reasons to be set forth hereinbelow.

The Examiner has rejected dependent claims 2-6 and 8-11 which depend from independent claims 1 and 7, respectively. Since applicants believe that claims 1 and 7 are patentable over Cianfrocca in view of Ananian for the reasons to be set forth hereinbelow, applicants believe that no response is required concerning dependent claims 2-6 and 8-11.

Turning now to the rejection of claims 1 and 7 under 35 U.S.C. 103(a) as being unpatentable over Cianfrocca in view of Ananian, the preamble of claim 1 recites in part: “A method of managing CAD data in a plurality of disparate and diverse databases . . . ,” while that for claim 7 recites in part: “A system for sharing files across disparate databases”

The Abstract of Ananian recites: “A method for generating an interactive profile of a structure, such as a building, employing an interactive profile system . . . A plan set, usually in a CAD format, is received into the interactive profile system, typically submitted by the user or client. . . . The plan set is converted to a profile data set by the profiling engine. . . . The profiling engine performs a systematic enhancement of the plan set, building upon the elemental physical descriptions of the plan set. . . . The user directs a profile query to the application engine of the interactive profile system.” (Emphasis added by applicants.).

Ananian, beginning in Col. 2, line 62 and ending on Col. 3, line 8, sets forth: “To expand the received plan set into the building’s profile database, the plan set is converted to a profile data set by the profiling engine. The profile data set is compliant with an enhanced data protocol, which is a specific format for organizing the profile data set in a standardized array. The profiling engine ‘parses’ or extracts, the profile data set to develop and link the plurality of potentially interrelated building components to develop a plurality of interrelated components. The profiling engine performs a systematic enhancement of the plan set, building upon the elemental physical description of the plan set. Each element of the physical description is functionally analyzed for relational attributes and then expanded. Links are created within the profile data set, between related components.” (Emphasis added by applicants.).

In the subject Advisory Action, the Examiner stated that: “The newly added limitation including ‘without modification of the content’ is also disclosed by the prior art (Col. 7, lines 9-17 of Ananian). Wherein the step of translating corresponds to the step of converting without modification of the content claimed. According to the Academic Press Dictionary of Science and Technology from Elsevier Science & Technology, ‘translate’ means: ‘1. To convert from one computer language to

another. 2. Generally, to convert information from one form to another without altering meaning or function.” From the quotations from Ananian in the previous two paragraphs, it is clear that the plan set submitted by the user is modified by the profiling engine of Ananian.

Additionally, although a translation may convert a file from one computer language to another, generally without altering the meaning or function, if one reviews the actual language used in Ananian set forth in the following paragraph, it is clear that: (1) Ananian is referring only to the data file in the plan set, not the entire plan set; and (2) even if the language of the data file is changed, additional changes are intended to be made such as correction of the level, color, line style, and line weight to match the enhanced data protocol utilized by the profiling engine. Thus, applicants respectfully disagree with the Examiner concerning the Examiner’s statement that the amendments to claims 1 and 7 are disclosed by Ananian.

Column 7, lines 4-15, of Ananian state that: “It is possible that a digital file comprising the plan set 50 can be collected without linked attributes, as would be required for ‘non-Microstation’ software application such as AutoCAD™ The data file of the plan set can be translated, either manually or with the aid of a program, to the correct level, color, line style, and line weight to match the enhanced data protocol utilized by the profiling engine 30. This standardized protocol, preferably in CAD format, or alternatively an SVG (scalable vector graphic) format, facilitates linkage and extraction to the enhanced profile database 40.” (Emphasis added by applicants.).

Column 4, lines 57-60 of Ananian states: “The generation of the interactive, enhanced profile database 40 is a key element of the present invention. To begin the formulation of the enhanced profiles, a plan set 50 is received into the interactive profile system 10.” In Col. 6, lines 39-46, of Ananian it is stated: “For the present invention, the enhanced data protocol is an internally standardized profile database format that enables the plan set 50 to be expanded and utilized by the interactive profile system 10. . . . The plan set is converted to the standardized data set by the profiling engine 30 of the interactive profile system.” (Emphasis added by applicants.). Column 13, lines 15-37 recite: “The user 25 can direct a profile query

177 to the application engine 20 of the interactive 16 profile system 10, as shown in FIG. 1. The term “query” is broadly interpreted to include requests to modify records of the enhanced profile database. ... Therefore, the term “query” can also apply to an inquiry into the enhanced profile database, relating to a specific component or to the interrelationship between one or more building components. The application engine 20 responds to the profile query 177 with a profile response 178. The profile response includes a listing of at least one of the plurality of interrelated elements of the enhance profile database 40. These interrelated elements can be associated, related or grouped in any report format that the user 25 requires. The profile response to the profile query is sent to the user, preferably over the Internet to the web browser of the user.” (Emphasis added by applicants.). Column 14, lines 34-44, state: “After the application engine 20 receives the profile query 177 from the user 25, the application engine then generates a search based upon the profile query. The profile query may be a request for a listing of component or a “what if” request. The application engine preferably transmits to profile results 178 of the profile query in the form of a report. If, however, the user 25 submits a profile query 177 that modifies a record 170, as would be performed if the user requires or desires a change to a component of the project 130, a data set revision 120 order can be generated by the application engine 20, as shown in FIG. 1.” (Emphasis added by applicants.).

Thus, in the principal embodiment of the invention of Ananian, **the user receives a report from the interactive profiling system in response to a user inquiry. Moreover, the user's original plan is converted to a standardized data set, which may be very different from what was originally submitted by the user.**

In Col 20, lines 2-11, of Ananian it is stated that: “As an alternative embodiment of the present invention, the interactive profiling system 10 can export the profiled plan set 50, preferably in CAD format, so that the user 25 can call up the plan from within a profile manager if they ever need to review it for future projects. After subscribing to the interactive profiling system, the user can access any user-submitted plan set 50, which are all available in CAD format, or any other appropriate format, for export. The exported CAD file can also be helpful to the

builder during the project management phase." (Emphasis added by applicants.). If the user wishes, the profiled plan set 50 may be sent to the user. **This plan is not plan set 50, originally sent by a user.** Subject claims 1 and 7, as amended, recite that the user is sent a requested file converted into transmittable form, not one that is "profiled" or otherwise modified, as required by the teachings of Ananian.

Thus, since the user cannot manage CAD data in a plurality of disparate and diverse databases (subject claim 1) or **share** files across disparate databases (subject claim 7) without modification of the content thereof, applicants believe that Ananian clearly teaches away from the present claimed invention. This is not remedied by the teachings of Cianfrocca and applicants respectfully believe that the combination by the Examiner of Cianfrocca with Ananian does not render obvious the present claimed invention.

In view of the discussion presented hereinabove, applicants believe that subject claims 1-11, as amended, are in condition for allowance or appeal, the former action by the Examiner at an early date, being earnestly solicited.

Reexamination and reconsideration are respectfully requested.

Respectfully submitted,

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